

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE : 3 AUGUST 2001

01/0208/FL: PROPOSED RENOVATION OF EXISTING VACANT PROPERTY TO FORM 19 NEW FLATS & FORMATION OF ANCILLARY CAR PARK AT 25-35 MAIN STREET AND 20 HIGH STREET, NEWMILNS

01/0215/LB: PROPOSED RENOVATION AND ALTERATION TO FORM 19 NEW FLATS & DEMOLITION OF REMAINING GROUND FLOOR INFILL AT 25-35 MAIN STREET, NEWMILNS

BY THE STRATHCLYDE BUILDING PRESERVATION TRUST

Report by Head of Planning & Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination applications for full Planning Permission and Listed Building consent which are to be considered by the Local Planning Committee under the scheme of delegation because they concern large scale residential development of area significance and have been the subject of one letter of objection

2. APPLICATION DETAILS

2.1 **Site Description:** The applications' site is located centrally within the town of Newmilns inside the Newmilns Outstanding Conservation Area (OCA) and the Newmilns Townscape Heritage Initiative Boundary (NTHI). The building at 25-35 Main Street comprises a Category B Listed Building. The site at 25-35 Main Street is of triangular shape set at the junction of Main Street and High Street and comprises possibly the most prominent building in Newmilns. The building was constructed circa 1900 and is two storey and attic in height and of red sandstone finish. The tower comprises the buildings' most striking feature at the junction of Main Street/High Street. The building is currently in a severe state of dilapidation. All windows and doors are boarded up and there are trees and bushes growing out of the external walls. The sandstone is also badly bleached. The ground floor facing onto Main Street previously comprised shop units with the frontage now boarded over. The timber panel fascia remains as does the black granite stallriser.

The site of the Westgate Co-op is bound to the north by High Street beyond which are residential properties, to the south by Main Street across from residential properties and a public house to the west by Main Street. To the east, lie adjoining properties on Main Street used for residential purposes.

The car park site at 20 High Street is regular in shape and located some 100 metres from the Westgate Co-op extending to some 300 square metres. The site is bound to the north by High Street, to the west by a narrow access land linking High Street and Main Street and to the east and south by vacant ground associated with properties facing onto Main Street.

2.2 **Proposed Development:** The development as proposed can be detailed as follows:-

20 High Street - This currently vacant area of ground is to be utilised to comprise private parking for the flats in the main building. The total number of spaces to be provided is 12. The car park will be enclosed by a boundary fence to prevent indiscriminate car parking. No details of the design of the fence have been submitted to date.

25-35 Main Street - It is proposed to convert the former Westgate Co-op building to residential accommodation comprising a total of 19 flatted dwellings. The building is currently in a very poor state of repair and essentially comprises an external shell. There are no original internal partitions remaining in the building and there are no external windows or doors with all openings boarded up. The original stairwells remain with some traditional style "wally" tiles and the current proposal intends to remove same. The proposal will form 6 flats on the ground floor (4, 1-bedroom and 2, 2-bedroom). The first floor will accommodate 7 flats (5, 1-bedroom and 2, 2-bedroom) whilst the second floor will comprise 6 flats (4 of which are 1-bedroom and 2 with 2 bedrooms). A triangular shaped courtyard will be formed to the rear which will accommodate space for the refuse bins.

The main external alterations to the building are to take place on the front elevation at Main Street where the existing boarded shopfront is to be replaced by facing brick infills and render columns. The existing timber fascia of the shop unit is to be retained and will be painted to reflect the previous use of the property. New timber windows and doors are to be installed on all elevations using existing windows and door openings and the two doors on Main Street at ground floor level will have the glazed fanlights retained or reinstated. The external alterations to the rear courtyard elevations will also primarily use existing openings, although the ground floor will comprise 5 new window openings and 2 door openings on one elevation and 4 window openings on the other courtyard elevation. It is proposed to replace the current glazed facing brick by a rendered finish. The applicants are proposing to install timber vertically sliding sash and case windows and new hardwood doors to match those doors being replaced.

Part of the building to the rear requires to be demolished to accommodate the proposed scheme. Owing to the years of neglect of the buildings, however, the roof of this area has already collapsed.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Transco have forwarded a copy of their record plan and recommended that the developer contact their Glasgow Operations Office.

Noted. Should Members choose to grant consent, an appropriate advisory note can be attached and a copy of Transco's response forwarded.

3.2 West of Scotland Water have advised that:-

- There is a public sewerage system to which a connection may be made. The developer should satisfy himself, by site investigation if necessary, that relative levels are such as will allow the development to be connected at a reasonable gradient.
- The developer must make a separate application to West of Scotland Water for permission to connect to the public sewerage system.
- Sustainable Urban Drainage Systems should be employed on the surface water drainage system.

- A development of the type and size proposed can be serviced from an existing public water main located in the street adjacent to the site location.
- Separate application will have to be made for the provision of site water mains if required, and service connections. Consultation should be made with West of Scotland Water regarding compliance with current byelaws and where there is use of water for building purposes.

Noted. If Members choose to grant consent, an appropriate note can be attached bringing the above to the developers attention.

3.3 The Coal Authority have not identified any instability issues which would affect the determination of the application.

Noted.

3.4 Legal Services have made no adverse comments.

Noted.

3.5 SEPA (Scottish Environment Protection Agency) have advised that:-

- There is no objection to this proposal on the understanding that the foul drainage is connected to the public sewer and does not cause premature operation of downstream storm overflows.
- Surface water from the site should be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland published by CIRIA in March 2000.

Noted. Should Members choose to grant consent, it is recommended that an advisory note is incorporated bringing the above to the developer's attention.

3.6 Scottish Power have not replied to their consultation at the time of writing this report.

Noted.

3.7 Strathclyde Fire Brigade have advised that:

- (i) The gate leading from the enclosed yard to the High Street should be fastened in such a manner that it can be easily and immediately opened from within without the use of a key allowing the residents to reach a place of safety from the enclosed yard.
- (ii) The proposal conforms to the Technical Standards for compliance with the Building Standards (Scotland) Regulations 1990 as amended in respect of Standard E9.1 – access for fire fighting purposes.

Noted. Members are advised that this response has direct relevance in clarifying the response raised by the Community Council in paragraph 3 below. A condition can regulate the type of gate provided.

3.8 West of Scotland Archaeology Service (WOSAS) have advised that part of the site affects the identified historic settlement area for the burgh of Newmilns and whilst there is unlikely to be an archaeological issue in the refurbishment of the former Co-op building, the associated car park on the High Street frontage occupies a site which may contain surviving archaeological remains from the earlier periods of the burgh's development. While there has clearly been development on this site in the past, the degree of disturbance caused by this would appear to leave the possibility that sensitive archaeological remains may still survive in parts of the site.

West of Scotland Archaeological Society advise that such remains, if present could be kept in situ or if not feasible in terms of car park formation, could be excavated prior to development. To enable an archaeological evaluation prior to development, and in accordance with Government Guidance, West of Scotland Archaeological Society recommend a condition based on Planning Advisory Note 42 but re-worded to reflect current circumstances, and on the basis of more recent experience elsewhere:

The developer shall undertake recording of archaeological resources within the development site to the satisfaction of the Planning Authority.

No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, this scheme to be submitted for approval by the Planning Authority following consultation and agreement with the West of Scotland Archaeology Service.

The use of such conditions would allow any archaeological remains which might be on-site to be dealt with after consent is granted. The procedures followed would be the same as those suggested in PAN 42 for prior evaluation followed by mitigation work if necessary, and would be outlined in the Written Scheme of Investigation referred to in the draft condition so that adequate control over the process can be retained by the Council.

In this way any important remains present on the site could be identified and preserved, either *in situ* or by record.

Noted and if Members choose to grant planning permission and listed building consent, conditions as suggested by WOSAS can be incorporated.

3.9 Environmental Health have made no observations other than the pavement adjacent to the frontage at the High Street elevation is very narrow causing concerns for the kerbside uplift of refuse from 19 wheelie bins. These concerns were discussed with the Department's Waste Management Section and this was considered to be a necessary inconvenience as refuse collection from Main Street at that junction would be undesirable. Noting however the refusal of the Roads Division and allow bins to be stored on the footpath, Environmental Health will accept 3 large 1100 litre storage containers to be located in the courtyard for collection which refuse collectors will remove and return to the courtyard.

Noted. These comments have direct relevance in providing clarification to the comments made by the Roads Division below. Should Members be agreeable, a condition can be incorporated requiring that 3 large 1100 litre storage containers be provided within the site at a location agreed with the Planning Authority.

3.10 The Scottish Civic Trust have advised that in principle, the Trust strongly support this development. The former Co-op building commands a very important position in Newmilns, and has been a Building at Risk for a number of years. Its return to economic use is critical to Newmilns and the success of the current Townscape Heritage Initiative.

Their support is tempered by the lack of clear information regarding the nature and form of the alterations/restoration proposals. Whilst the Trust are aware that much of the fabric has already been stripped out of the building, they advise it is difficult to assess the full implications of the proposals without adequate information about the alterations. For example, no information is given about the window treatment or elevation repairs other than the most cursory of comments on the application. It is essential that such information be provided, in order to ensure the quality of work required for a listed building.

The Trust expresses regrets regarding the almost total loss of interior elements of the building, especially the original stairs. The reason for this seems to be ensure greatest economy of floor plan although, it might be beneficial to revisit this issue, in order to protect as much of the listed building fabric as possible.

The Trust would not wish to hold up the development process for this building and suggest that these issues could be conditioned to permit further negotiation on the content of the scheme.

Since receipt of this consultation response, further information has been provided as regards treatment of windows and doors.

Members are also referred to Historic Scotland's comments and are advised that the building is essentially a shell with very little left of the interior owing principally to the dilapidation of the building. The merits of the retention of the original stairs have been discussed in detail with Historic Scotland (see paragraph 3.11 below). It has been agreed with Historic Scotland that in order to ensure the viability of the project to restore the building, there would be no objections to the loss of the stairwell.

The retention of the stairwell would seriously impact upon the viability of the scheme which could result in the continued decay and ultimate demolition of the building. In terms of the elevation repairs however, it is recommended that should Members choose to grant consent, appropriate conditions be incorporated to require the agreement of a Schedule of Repairs.

3.11 Historic Scotland initially advised that given the importance of this building, the Inspectorate would strongly suggest that drawings be fully amended with details which clarify door and windows treatment, paint colours, and treatment to the shopfront and dormers. The Inspectorate expressed strong opposition to the removal of the staircases at the east and west ends of the range that faces Main Street and the loss of the remaining decorative tiling in the east stair hall. These staircases are both of good quality and are the only internal features that still survive and inform of its former appearance and function.

Subsequent comments from Historic Scotland confirmed their acceptance in terms of listed building consent of the removal of the stairs. In this connection, discussions took place relative to the restoration of the building as highlighted in response to the paragraph above.

Historic Scotland were able to confirm acceptance of the internal layout and were satisfied at the details regarding the part glazing of the doors to the east and west ends of the principal elevation. They did request that as the scheme is considered for grant purposes, the imposition of conditions would be desirable in case of any amendments as a result of the grant process in relation to:

- (1) Details of windows;
- (2) Details of the colour and finish of the rebuilt shopfront area
- (3) Details of dormer windows including finish and repair of the exposed external timberwork.
- (4) A sample of code number for dark red paintwork for all external timberwork.
- (5) The provision of coloured elevational drawings.

Based on the above it is recommended that the current layout is acceptable. Whilst it would have been preferable to retain the original stairwells as the last remaining internal feature, it is recognised that in order to save the building itself, their loss is acceptable. If Members choose to grant consent, conditions as detailed by Historic Scotland can be incorporated.

3.12 The Newmilns & Greenholm Community Council are very pleased to see constructive works being proposed to utilise the Westgate Co-op building. The following objections are however offered:-

- (a) It terms of the construction of 'one bedroom houses' it is difficult to understand the logic behind this, when at present the Local Council Stock of this type accommodation is mainly voids. It is the intention to demolish a large number of such accommodation and if the Community is to be regenerated, family houses are needed to encourage people to return to the area as soon as work becomes available.
- (b) It is not clear from the plans, what the routes of exit are in the event of fire. People in the lower floor exiting by the rear entrance will find themselves in a courtyard. It may prove difficult to get out of this area if the exit gate to High Street is locked to assist in the prevention of vandalism. The High Street exit gate, from the courtyard appears only to be provided for tenants to take Wheely Bins out for collection.

What happens if a Fire tender requires access to the rear of the building?

- (c) The proposed car parking for this project is totally inadequate and must be resolved before the building is tenanted. It is doubtful that 15 cars could be parked in the area on the plans. One bedroom flats could attract professional couples to the Community to serve as a dormitory. In such cases each couple could have a car which would leave 23 to be accommodated. It is normal practice of car owners to

park in their living room, if possible. The Westgate Co-op is situated in an area where car parking cannot and must not be allowed in the Main Street or High Street. High Street is used as an alternative to the Main Street in times of accident or other impediment to the through flow, thus it cannot be used for double parking or the large lorries and buses using the route will not be able to access. In normal circumstances, the Milk Tanker going to farms cannot pass double-parked vehicles. There may be problems with parking in the Community and this must be resolved in the planning stage.

- (d) How will tenants bring their furniture or new pieces to their homes? The vehicles cannot park to off load on either side of the building.
- (e) There are no facilities for the disabled in that they will be discriminated against either as tenants or visitors.

In response, Members are advised as follows:-

- (a) ***Noted, however this is not a material planning consideration and this Division cannot dictate to applicants whether flats should be one or two bedroom.***
- (b) ***Members are referred to the comments of Strathclyde Fire Brigade in paragraph 3.7 of this report. As above, this point is not strictly a material planning consideration. It is a matter to be addressed in the consideration and determination of an application for a Building Warrant. It should in any case be noted that the Fire Brigade have not raised any objections to the Scheme and have in fact advised that it accords with the Technical Standards in terms of access for fire fighting purposes. Should Members wish, a condition could be incorporated into the consent to ensure that the gate is lockable without a key.***
- (c) ***It is acknowledged that the car parking provision is currently less than 1 space per flat. However, should Members choose to grant consent, it is recommended that a condition be imposed requiring the applicant to provide a total of 19 spaces commensurate with the occupation of the flats. The condition could further specify that the occupation of each residential unit could only be permitted when a car parking space has been provided specifically for that unit.***
- (d) ***The Roads Division have not objected to the proposal on this basis.***
- (e) ***This is not a material planning consideration. It is a matter for the consideration of Building Control in the determination of an application for a Building Warrant.***

3.13 The Roads Division initially advised that:

- (i) the level of parking provision was insufficient for the number of residential units. The level of parking required is 19 spaces. The applicants car park layout was unacceptable as access to the parking spaces required the use of a public footpath where sightlines onto High Street were inadequate;
- (ii) owing to the location of the car park further from the residential units than is recommended, it will be necessary to provide a secure compound for cars, otherwise cars would be subject to vandalism and residents would be reluctant to use the facility. This would have the effect

of increasing parking on Main Street and High street, where there is presently traffic congestion.

- (iii) the developer will require to finance the necessary traffic order and works to prevent indiscriminate parking on High Street and Main Street adjacent to the proposed development. This will involve the provision of double yellow lines adjacent to the junction and any other works the traffic section of the Roads Division consider appropriate to enforce such restrictions. This is appropriate given the distance from the flatted dwellings to the car park and the lack of visitor parking.
- (iv) Refuse collection from the development should be restricted to High Street and be undertaken from having bins collected from within the complex and not requiring residents to place the bins on the public footway. This is necessary owing to the number of bins and the narrow footway.
 - (i) ***It is acknowledged that the level of parking currently proposed is insufficient for the 19 flatted units. It is also acknowledged that the car park layout submitted by the applicant is unacceptable. As such and should Members choose to grant permission in this instance it is considered that no more of the flats should be occupied than there is parking available and that the applicant should provide details of how the shortfall in parking can be met. It is therefore considered that the occupation of each unit shall only be permitted when a car parking space has been provided specifically for that unit. Such details shall include an alternative layout for the car park.***
 - (ii) ***The applicants have not to date provided any details as to the secure compound and it is considered that should Members choose to grant consent, a condition can be incorporated which requires the provision of this information and formation of the compound prior to the first residential unit being occupied.***
 - (iii) ***It is considered that should Members choose to grant consent, an advisory note can be attached bringing this requirement to the applicants attention.***
 - (iv) ***Discussions with Environmental Health have confirmed a solution as detailed in paragraph 3.9 above. It is considered that should Members choose to grant consent, a condition can be incorporated.***

3.14 The AHSS have not replied to their consultation at the time of writing this report.

4. REPRESENTATIONS RECEIVED

4.1 One letter of objection has been received from the Newmilns and Greenholm Community Council. The points raised have been addressed above in paragraph 3.12.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Adopted Joint Ayrshire Structure Plan and, the Ayr County Development Plan and Newmilns Town Map. The latter is considerably out of date and as a consequence, significant weight must be attached to a more recent expression of policy.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the applications are the East Ayrshire Local Plan Finalised Version with Modifications, government guidance contained with the Memorandum of Guidance on Listed Buildings and Conservation Areas produced by Historic Scotland and the objection as detailed above.

East Ayrshire Local Plan Finalised Version with Modifications

6.2 Policy RES 22 and Schedule 4 are relevant in the consideration of these applications. Policy RES 22 states that all developers will require to observe the minimum private open space criteria and standards detailed in Schedule 4 of the Local Plan. The standards quoted may however, be relaxed at the discretion of the Council in respect of the conversion of existing properties to flats where the case for such a relaxation can be fully justified by the developer and where considered appropriate by the Planning Authority.

Schedule 4 states that for the level of development proposed, 625 square metres of private garden space should be provided. The development proposed provides approximately 300 square metres. The Policy permits a relaxation and following consideration, this would seem appropriate because of the building's importance to the town of Newmilns and its present dilapidated condition is causing a great deal of concern to this Division and other amenity bodies.

6.3 Policies ENV 1 and 2 are also relevant and contain the Council's stance on proposals affecting listed buildings and conservation areas. These policies state that the Council will seek to protect, preserve and enhance all heritage resources and will actively encourage the retention, restoration, conservation and re-use of all listed buildings with there being a presumption against the demolition or partial demolition of all properties.

The proposed development is compliant with these policies which will ensure the protection and restoration of a listed building which is the most prominent structure within the town of Newmilns. The demolition to take place is very small in scale and comprises an area which is already partially demolished owing to the building having been vacant and subject to neglect.

6.4 Policy ENV 4 seeks to ensure that all development within a conservation area or affecting the setting or appearance of a listed building is sympathetic to the area of building, in terms of layout, size, scale, design, sitting, materials and colour of finish. The policy further states that all proposals should seek to preserve, enhance or incorporate features which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

In this regard, and noting the agreement of Historic Scotland, the details of the alterations are considered to be acceptable. The windows to be installed are also considered to be appropriate as are the proportions of the glazing bars. The details of external doors are also considered acceptable and will be retained in their present form. The main issue in terms of this Policy is the area of infill to the former ground floor shop units on the Main Street elevation. The applicants propose to form this infill, primarily in facing brick in a colour close to the red sandstone. This is considered acceptable as, whilst it will be a different material to the sandstone, it will visually commemorate the previous commercial use of the property. Historic Scotland are content with this aspect of the proposal.

The proposal is therefore compliant with the policies of the Finalised East Ayrshire Local Plan (with Modifications).

Memorandum of Guidance on Listed Buildings and Conservation Areas

6.5 The Memorandum of Guidance is produced by Historic Scotland and states that new uses for old buildings may often be the key to their continued survival and as such, it may be justifiable to relax control over use, zoning, density, plot ratio, day lighting and other restrictions where this would enable an historic building to be given a new lease of life. The Memorandum continues to advise that the greatest problems arise when large buildings become vacant which if demolished would cause a radical and undesirable change to the area. The Memorandum also advises that the proper control of alterations is important to ensure that the value of the building is not lost when considering alternative uses thus ensuring the historic and architectural value of the building is not lost.

For these reasons addressed previously in this report, it is considered that the scheme is compliant with the Memorandum of Guidance. It is considered that the works will bring back into use a vacant, dilapidated listed building in a manner which is appropriate and with due regard to the character of the building.

Objections

6.6 The points raised by the objection submitted by the Newmilns and Greenholm Community Council, have been addressed in paragraph 3.2 of this report. It is considered that no issues have been raised which would be of such significance as to warrant the refusal of the applications.

7. FINANCIAL & LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in the determination of these applications.

7.2 Under Circular 4/1997 "Notifications of Planning Applications", the Scottish Ministers would require notification of development in which the planning authority has an financial/ownership interest. Such notification is only necessary where the proposed development is not in accordance with the adopted or approved local plan for the area or has been the subject of a substantial body of objections. As detailed in Section 5 of this report, the adopted local plan is considerably out-of-date. Section 6 of this report outlines the compliance of the scheme with the East Ayrshire Local Plan Finalised Version with Modifications and there has only been one letter of objection. There is no requirement to notify the Scottish Ministers.

8. CONCLUSIONS

8.1 As indicated in Section 5 of this report, the development plan is out of date and in the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be assessed against the material considerations. As indicated in Section 6, the material considerations are also supportive of the application. The material considerations in this regard, are of prime importance owing to the age of the development plan although the objection received is not considered to be of such significance as to warrant the refusal of the application.

8.2 This development forms a critical part of the Newmilns Townscape Heritage Initiative (NTHI) and comprises the most prominent building in Newmilns. It is currently in a severe state of dilapidation and has lost virtually all of its original internal features. Efforts are therefore concentrated on the restoration of the external fabric. To bring the building back into use would significantly enhance the visual importance of the building within the Outstanding Conservation Area and ensure its preservation. The building is important to the heritage of Newmilns and this scheme will satisfactorily ensure same. The scheme also benefits from the support of Historic Scotland.

9. RECOMMENDATION

9.1 It is recommended that the application for planning permission should be approved subject to the conditions on the attached sheets.

9.2 It is further recommended that the Listed Building application should be approved subject to notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and subject to the conditions on the attached sheets.

**Alan Neish
Head of Planning & Building Control**

26 July 2001

FMF/FD

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form.
2. Application plans.
3. Statutory Notices and Certificates.
4. Public Advertisement.
5. Statutory Consultations.
6. Ayr County Development Plan and Newmilns Town Map.
7. East Ayrshire Local Plan with Modifications.
8. Memorandum of Guidance.
9. Circular 4/1007.

Anyone wishing to inspect the above papers, please contact Fiona Finlay on 01563 576768.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE : 3 AUGUST 2001

01/0208/FL: PROPOSED RENOVATION OF EXISTING VACANT PROPERTY TO FORM 19 NEW FLATS & FORMATION OF ANCILLARY CAR PARK AT 25-35 MAIN STREET AND 20 HIGH STREET, NEWMILNS

01/0215/LB: PROPOSED RENOVATION AND ALTERATION TO FORM 19 NEW FLATS & DEMOLITION OF REMAINING GROUND FLOOR INFILL AT 25-35 MAIN STREET, NEWMILNS

BY THE STRATHCLYDE BUILDING PRESERVATION TRUST

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The development as proposed can be detailed as follows:-

20 High Street - This currently vacant area of ground is to be utilised to comprise private parking for the flats in the main building. The total number of spaces to be provided is 12. The car park will be enclosed by a boundary fence to prevent indiscriminate car parking. No details of the design of the fence have been submitted to date.

25-35 Main Street - It is proposed to convert the former Westgate Co-op building to residential accommodation comprising a total of 19 flatted dwellings. The building is currently in a very poor state of repair and essentially comprises an external shell. There are no original internal partitions remaining in the building and there are no external windows or doors with all openings boarded up. The original stairwells remain with some traditional style "wally" tiles and the current proposal intends to remove same. The proposal will form 6 flats on the ground floor (4, 1-bedroom and 2, 2-bedroom). The first floor will accommodate 7 flats (5, 1-bedroom and 2, 2-bedroom) whilst the second floor will comprise 6 flats (4 of which are 1-bedroom and 2 with 2 bedrooms). A triangular shaped courtyard will be formed to the rear which will accommodate space for the refuse bins.

The main external alterations to the building are to take place on the front elevation at Main Street where the existing boarded shopfront is to be replaced by facing brick infills and render columns. The existing timber fascia of the shop unit is to be retained and will be painted to reflect the previous use of the property.

New timber windows and doors are to be installed on all elevations using existing windows and door openings and the two doors on Main Street at ground floor level will have the glazed fanlights retained or reinstated. The external alterations to the rear courtyard elevations will also primarily use existing openings, although the ground floor will comprise 5 new window openings and 2 door openings on one elevation and 4 window openings on the other courtyard elevation. It is proposed to replace the current glazed facing brick by a rendered finish. The applicants are proposing to install timber vertically sliding sash and case windows and new hardwood doors to match those doors being replaced. Part of the building to the rear requires to be demolished to accommodate the proposed

scheme although owing to the years of neglect of the building, the roof of this area has already collapsed.

2. RECOMMENDATION

2.1 It is recommended that the application for planning permission should be approved subject to the conditions on the attached sheets.

2.2 It is further recommended that the Listed Building application should be approved subject to notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and subject to the conditions on the attached sheets.

3. SUMMARY OF ANALYSIS

3.1 As indicated in Section 5 of the report, the development plan is out of date. Terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the applications should be assessed against the material considerations. As indicated in Section 6 of the report, the material considerations are also supportive of the applications. The material considerations in this regard, are of prime importance owing to the age of the development plan although the objection received is not considered to be of such significance as to warrant the refusal of the application.

3.2 This development forms a critical part of the Newmilns Townscape Heritage Initiative (NTHI) and comprises the most prominent building in Newmilns. It is currently in a severe state of dilapidation and has lost virtually all of its original internal features. Efforts are therefore concentrated on the restoration of the external fabric.

To bring the building back into use would significantly enhance the visual importance of the building within the Outstanding Conservation Area and ensure its preservation. The building is important to the heritage of Newmilns and this scheme will satisfactorily ensure same. The scheme also benefits from the support of Historic Scotland.

**Alan Neish
Head of Planning & Building Control**

NOTE: This document combines key sections of the associated report for wick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0208/FL

Site of Proposal	Former Westgate Co-op & Vacant Ground 25-35 Main Street & 20 High Street NEWMILNS
Nature of Proposal	Proposed Renovation of Existing Vacant Property to Form 19 New Flats and Formation of Ancillary Car Park
Name & Address of Applicant	Strathclyde Building Preservation Trust 42 Miller Street GLASGOW G1 1DT
Name & Address of Agent	W I Munro Chartered Architects 1 Seaford Street KILMARNOCK KA1 2BZ

DPO's Reference: FMF/FD

The above FULL application should be granted subject to the following conditions:-

1. The proposed development shall be carried out in accordance with the application form received 30 March 2001 and the location plan; existing floor and location plans ref: 2221W1B; site plan as proposed ref: 2221W8; courtyard elevations as existing ref:2221W6; street elevations as existing ref:2221W2A; elevations as proposed ref:2221W4B; proposed floor and location plans ref:2221W3A and courtyard elevations as proposed ref:2221W7 all received 30 March 2001, the proposed shopfront ref:221W20; ground floor plan; existing stair doors to access corner and Main Street, end flat ref:2221D11; replacement dormer details ref:2221W21 and Blair Joinery window details received 2 July 2001 and the proposed car park layout plans received on 24 July 2001.

REASON

In order to ensure that development is carried out in accordance with the approved details.

2. Prior to any work commencing on site, details (including 3 copies of coloured elevation drawings) and samples of all external colours to be used on the windows, doors, dormer windows and rainwater goods shall be submitted to and approved in writing by the Planning Authority.

REASON

In the interests of visual amenity and in order to ensure the safeguarding of the character of the listed building.

3. The gate leading from the enclosed courtyard to the High Street shall at all times be fastened in such a manner that it can easily be opened from within the courtyard without the use of a key. The method of fastening shall be submitted to and approved by the Planning Authority and installed prior to the occupation of any of the flatted dwellinghouses and thereafter maintained to the satisfaction of the Planning Authority.

REASON

In order to ensure that residents can reach a place of safety away from the building and enclosed courtyard in the event of a fire.

4. No development shall take place within the development site until the developer has secured a programme of archaeological work in accordance with a written scheme of investigation. This scheme is to be submitted to and approved by the Planning Authority following consultation and agreement with the West of Scotland Archaeology Service. The programme of archaeological work shall thereafter be undertaken as approved prior to the commencement of any other works on site associated with the formation of the car park hereby approved.

REASON

To ensure the satisfactory recording of archaeological resources.

5. Notwithstanding the approved plans, the external finish and materials of the enclosed rear courtyard are not approved. Prior to any work commencing on site, details (including 3 copies of coloured elevation drawings) and samples of the type, colour and distribution of external materials to be used on the rear courtyard shall be submitted to and approved by the Planning Authority.

REASON

In the interests of visual amenity and in order to ensure the safeguarding of the character of the listed building.

6. Prior to any work commencing on site, details of the surface treatment to the car parking area shown on the approved plans shall be submitted to and approved by the Planning Authority. The car parking area shall be provided for use by residents of the flats, in accordance with the details agreed, prior to the occupation of any of the flats.

REASON

In the interests of visual amenity.

7. Prior to any work commencing on site for the car park shown on the approved plans, details of the design and external colour finish of a fence and lockable gates to be installed on the site around the perimeter boundary of the car park shall be submitted to and approved by the Planning Authority. Thereafter the fence and gates shall be installed prior to the occupation of the first flat and operated, as approved to the satisfaction of the Planning Authority.

REASON

To ensure that the car park is for the sole use of residents of the flatted dwellinghouses hereby approved.

8. Notwithstanding the approved plans, no approval is given for the external finish to the rear courtyard elevations. The developer shall investigate the possibility of the retention of the white glazed facing brick and shall submit for the written approval of the Planning Authority details (including 3 copies of coloured elevation drawings) of the external finish of these two elevations. An alternative external finish may be considered favourably if it can be proven that it is not possible to retain the glazed facing brick.

REASON

In order to protect and enhance the character of the listed building and in the interest of visual amenity.

9. Notwithstanding the approved plans, the external materials for the ground floor of the Main Street elevation are not approved. Prior to any work commencing on site for the development hereby approved, details (including 3 copies of coloured elevation drawings) and samples of all the type, distribution and colour of external materials shall be submitted to and approved by the Planning Authority.

REASON

In order to protect and enhance the character of the listed building and in the interest of visual amenity.

10. Prior to the commencement of any works on site, the developer shall submit to and have approved by the Planning Authority in consultation with Historic Scotland three copies of a report confirming the Schedule of Repairs required to the external fabric of the building. Any repair work shall be undertaken thereafter in accordance with the approved Schedule of Repairs and no repair

works unless of an emergency nature, shall be carried out until the Planning Authority has confirmed its written acceptance of the Schedule of Repairs.

REASON

To ensure that any repair work is undertaken in a sympathetic manner to respect the age and character of the listed building and in a manner which will (including any revised details for dormer windows) not result in damage to the external fabric of the building.

11. In the event that the window details approved are amended as a result of the Historic Scotland grant process, the applicant shall submit three copies of the revised window details for approval to the Planning Authority which shall thereafter be installed and maintained as approved.

REASON

In order to protect and enhance the character of the listed building and in the interest of visual amenity.

12. The two entrances/exit doors on the east and west ends of the elevation of the building at Main Street shall be retained in a permanently closed position to the satisfaction of the Planning Authority.

REASON

In order to protect and enhance the character of the listed building and in the interest of visual amenity.

13. Notwithstanding the approved plans, the location of the bin stores within the rear courtyard is not approved. Prior to any work commencing on site, the applicant shall submit for the written approval of the Planning Authority details of the storage and collection of refuse bins, which shall include provision of 3 1100 litre refuse storage containers to be located within the courtyard for communal use. Said refuse storage details shall be formed prior to the occupation of the first residential unit and maintained thereafter to the satisfaction of the Planning Authority.

REASON In order to ensure appropriate provision for the storage and collection of refuse from the residential units.

14. Notwithstanding the permission hereby granted, no more than 12 of the approved residential units shall be occupied until such time as:

(a) details have been submitted to and agreed in writing by the Planning Authority (and any necessary planning consent subsequently also granted) confirming how there shall be provided a further 7 car parking spaces to service the remaining 7 units in this development and;

(b) the agreed spaces have been provided.

REASON In the interests of road safety.

NOTES:

1. West of Scotland Water have advised early contact with their offices at 35 Glenburn Road, Prestwick (Tel No: 0808 100 5333) is advised.
 - (a) There is a public sewerage system to which a connection may be made. The developer should satisfy himself, by site investigation if necessary, that relative levels are such as will allow the development to be connected at a reasonable gradient.
 - (b) The developer must make a separate application to West of Scotland Water for permission to connect to the public sewerage system.
 - (c) Sustainable Urban Drainage System should be employed on the surface water drainage system.
 - (d) A development of the type and size proposed can be serviced from an existing public water main located in the street adjacent to the site location.
 - (e) Separate application will have to be made for the provision of site water mains if required, and service connections. Consultation should be made with WOSW regarding compliance with current byelaw and where there is use of water for building purposes.

2. SEPA have advised the following. Any queries should be directed to SEPA at their offices at 5 Redwood Crescent, East Kilbride on
Tel No: 01355 574200.
 - (a) There is no objection to this proposal on the understanding that the foul drainage is connected to the public sewer and does not cause premature operation of downstream storm overflows.
 - (b) Surface water from the site should be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland published by CIRIA in March 2000.
 - (c) The applicant should also ensure that any waste generated from the proposal is reused, recycled or taken for disposal at an appropriately authorised site.

3. A copy of consultation responses received from Transco and the Coal Authority are attached. The Developer is advised to note same and take any required action to satisfy Transco.

4. The Roads Division have requested that the developer contact their office to allow preparation of the necessary traffic order and works to prevent indiscriminate parking on High Street and Main Street adjacent to the proposed development. This will involve the provision of double yellow lines adjacent to the junction and any other works which the Traffic Section of the Roads Division consider appropriate to enforce such restrictions. The Roads Division should be contacted at an early stage on 01563 576310 at Greenholm Street, Kilmarnock.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0215/LB

Site of Proposal	25-35 Main Street NEWMILNS
Nature of Proposal	Proposed Renovation & Alteration to Form 19 New Flats & Demolition of Remaining Ground Floor Infill
Name and Address of Applicant	Strathclyde Building Preservation Trust 42 Miller Street GLASGOW G1 1DT
Name and Address of Agent	W I Munro Chartered Architects 1 Seaford Street KILMARNOCK KA1 12BZ

DPO's Reference FMF/FD

Subject to notification to the Scottish Ministers

The above LISTED BUILDING application should be granted subject to the following conditions:-

1. The proposed development shall be carried out in accordance with the application form received 2 April 2001 and the location plan; existing floor and location plans ref: 2221W1B; site plan as proposed ref: 2221W8; courtyard elevations as existing ref:2221W6; street elevations as existing ref:2221W2A; elevations as proposed ref:2221W4B; proposed floor and location plans ref:2221W3A and courtyard elevations as proposed ref:2221W7 all received 2 April 2001, the proposed shopfront ref:221W20; ground floor plan; existing stair doors to access corner and Main Street, end flat ref:2221D11; replacement dormer details ref:2221W21 and Blair Joinery window details received 2 July 2001.

REASON

In order to ensure that development is carried out in accordance with the approved details.

2. Prior to any work commencing on site, details (including 3 copies of coloured elevation drawings) and samples of all external colours to be used on the windows, doors, dormer windows and rainwater goods shall be submitted to and approved in writing by the Planning Authority.

REASON

In the interests of visual amenity and in order to ensure the safeguarding of the character of the listed building.

3. The gate leading from the enclosed courtyard to the High Street shall at all times be fastened in such a manner that it can easily be opened from within the courtyard without the use of a key. The method of fastening shall be submitted to and approved in writing by the Planning Authority and installed prior to the occupation of any of the flatted dwellinghouses and thereafter maintained to the satisfaction of the Planning Authority.

REASON

In order to ensure that residents can reach a place of safety away from the building and enclosed courtyard in the event of a fire.

4. Notwithstanding the approved plans, the external finish and materials of the enclosed rear courtyard are not approved. Prior to any work commencing on site, details (including 3 copies of coloured elevation drawings) and samples of the type, colour and distribution of external materials to be used on the rear courtyard shall be submitted approved by the Planning Authority.

REASON

In the interests of visual amenity and in order to ensure the safeguarding of the character of the listed building.

5. Notwithstanding the approved plans, no approval is given for the external finish to the rear courtyard elevations. The developer shall investigate the possibility of the retention of the white glazed facing brick and shall submit for the written approval of the Planning Authority details (including 3 copies of coloured elevation drawings) of the external finish of these two elevations. An alternative external finish may be considered favourably if it can be proven that it is not possible to retain the glazed facing brick.

REASON

In order to protect and enhance the character of the listed building and in the interests of visual amenity.

6. Notwithstanding the approved plans, the external materials for the ground floor of the Main Street elevation are not approved. Prior to any work commencing on site for the development hereby approved, details (including 3 copies of coloured elevation drawings) and samples of all the type, distribution and colour of external materials shall be submitted to and approved by the Planning Authority.

REASON

In order to protect and enhance the character of the listed building and in the interests of visual amenity.

7. Prior to the commencement of any works on site, the developer shall submit to and have had approved by the Planning Authority in consultation with Historic Scotland three copies of a report confirming the Schedule of Repairs required to the external fabric of the building. Any repair work shall be undertaken thereafter in accordance with the approved Schedule of Repairs and no repair works unless of an emergency nature, shall be carried out until the Planning Authority has confirmed its written acceptance of the Schedule of Repairs.

REASON

To ensure that any repair work is undertaken in a sympathetic manner to respect the age and character of the listed building and in a manner which will (including any revised details for dormer windows) not result in damage to the external fabric of the building.

8. In the event that the window details approved are amended as a result of the Historic Scotland grant process, the applicant shall submit three copies of the revised window details for approval to the Planning Authority which shall thereafter be installed and maintained as approved.

REASON

In order to protect and enhance the character of the listed building and in the interests of visual amenity.

9. The two entrances/exit doors on the east and west ends of the elevation of the building at Main Street shall be retained in a permanently closed position to the satisfaction of the Planning Authority.

REASON

In order to protect and enhance the character of the listed building and in the interests of visual amenity.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA